

**UNITED STATES DISTRICT COURT
Eastern District of New York**

Lofty Coffee, Inc.

Plaintiff,

v.

Stand Coffee, LLC, et al.,

Defendants.

Civil Action No. 1:16-cv-03869-KAM-RML

NOTICE OF DISMISSAL

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Plaintiff Lofty Coffee, Inc. (“Lofty”), pursuant to Federal Rule of Civil Procedure 41(a)(1)(A), hereby dismisses all claims in this action against Swallow Café, Inc. (“Swallow”) in the above-captioned case. Lofty dismisses said claims subject to the terms of a certain agreement entitled “Settlement Agreement”, dated September 30, 2016, and executed by Lofty and the company signing on behalf of Swallow, with each party to otherwise bear its own costs, expenses, and attorney fees.

Dated: October 14, 2016

Respectfully submitted,

s/Michael G. Sullivan
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MGS/slw